

### **REMARKS**

This Application has been carefully reviewed in light of the Final Office Action mailed January 11, 2006. At the time of the Final Office Action, Claims 1-4 and 11-19 were pending in this Application. Claims 5-10 were previously cancelled due to an election/restriction requirement. Claims 1-4 and 11-19 were rejected. Claims 2-4, 13-16, 18, and 19 have been amended to further define various features of Applicants' invention. Claims 1, 12, and 17 have been cancelled without waiver or prejudice. Applicants respectfully request reconsideration and favorable action in this case.

#### **Rejections under 35 U.S.C. § 102**

Claims 1, 3, 4, 12, 14-17, and 19 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,178,563 issued to Carl G. Reed ("Reed"). Applicants respectfully traverse and submit the cited art does not teach all of the elements of the claimed embodiment of the invention.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, "the identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Applicants respectfully submit that the cited art as anticipatory by the Examiner cannot anticipate the rejected Claims, because the cited art does not show all the elements of the present Claims.

#### **Rejections under 35 U.S.C. §103**

Claims 2, 11, 13, and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Reed in view of U.S. Patent 5,619,012, issued to David C. Casali et al. ("Casali et al."). Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

In order to establish a *prima facie* case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Furthermore, according to § 2143 of the Manual of Patent Examining Procedure, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

Claims 2, 11, 13, and 18<sup>1</sup> recite "a bending collar around which the conductor device can be bent." According to the specification of the present application,

In Figures 3 and 4, the contacting component 1 is shown in the final assembled state. In order to reach this state, starting from Figure 1 or 2, each valve plug 4, 5, 6 is bent down-wards by approximately 90° by *bending around an integral bending collar 8* formed on the base component 3 so that the valve plugs 4, 5, 6, more precisely, the specific plate-shaped areas of the valve plugs engage with two latches 7 in each case that are also embodied integrally on the base component 3.

See Application at Paragraph 30. Thus, the application expressly teaches a bending collar 8 around which the conductor can be bent. Benefits of the bending collar are also disclosed.

Particularly favorably, the first and/or the second plastic component feature a bending collar around which the conductor device can be bent. As a result, additional tools or auxiliary means when engaging the two plastic components can be dispensed with. The conductor device is then bent automatically when assembling the contacting component. In addition, the bending process can then be automated cost-effectively.

See Application at Paragraph 14.

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<sup>1</sup> The office action identifies claim 17 as the rejected claims, but it is understood that the rejection was to apply to claim 18 as it is claim 18 that recites "a bending collar around which the conductor device can be bent."

A premise of the rejection is that “Casali et al. disclose a bending collar (16, 19) for supporting conductor device.” *See* OA at 2. However, Casali et al. states that

The three plastic sections and the embedded portions of the conductors cooperate to form a hinge that can be bent permanently at the narrowed section 16A *through a predetermined angle defined by the faces 16B, 16C.* (In this exemplary embodiment, the angle selected for the faces is 90°.)

*See* Casali et al., 3:43-48 (emphasis added). As shown in Figures 2A and 2C, the conductors do not bend around faces 16B and 16C. Rather, faces 16B and 16C are “stops” that prevent the conductors from being bent more than 90°, in the illustrated example. Thus, not only does Casali et al. fail to teach or suggest a bending collar, but it expressly teaches that the conductor should be bent as a hinge 16 in the absence of a bending collar. Reed also fails to teach or suggest a bending collar. Thus, the invention as claimed in claims 2, 11, 13, and 18 is patentable in view of the cited prior art. Similarly, the invention as claimed in claims 3, 4, 14-16 and 19 is patentable for the same reasons.

### CONCLUSION

Applicants have made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the pending claims.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2690.

Respectfully submitted,  
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